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ATTORNEYS FOR PLAINTIFF CARMEN APODACA

IN THE UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

CARMEN APODACA,

Plaintiff,

vs.

PINNACLE LAW GROUP LONG TERM
DISABILITY PLAN,

Defendant.

Case No.: 3:10-cv-02589-JSW

**STIPULATION TO EXTEND TIME TO
COMPLETE MEDIATION; ~~Proposed~~
ORDER**

AND RELATED COUNTERCLAIM.

Plaintiff Carmen Apodaca and defendant Pinnacle Law Group Long Term Disability Plan, by and through their attorneys of record, hereby stipulate and request that this Court continue the mediation completion date to February 14, 2011, for good cause as follows:

On September 28, 2010 the Court ordered the parties to participate in the ADR program according to their request to utilize the Court's ADR mediation program. The Court also ordered a mediation completion date of December 27, 2010. On October 8, 2010 the parties were notified of the mediator assigned to their case and a Pre-Mediation Conference call was held on November 4, 2010.

With the scheduling issues confronting counsel for both parties and the representative for defendant, and the upcoming holidays, additional time will be needed to complete mediation. Therefore, the Parties request an extension of the mediation completion date to February 14, 2011.

RESPECTFULLY SUBMITTED:

Dated: December 1, 2010 WILSON, ELSER, MOSKOWITZ, EDELMAN & DICKER LLP

By: /s/ Dennis J. Rhodes
 ADRIENNE C. PUBLICOVER
 DENNIS J. RHODES
 Attorney for Defendant
 PINNACLE LAW GROUP LONG TERM DISABILITY
 INSURANCE PLAN

Dated: December 1, 2010 FRICKER & CREECH & ASSOCIATES

By: /s/ Timothy J. Fricker
 TIMOTHY J. FRICKER
 KAREN CREECH
 Attorney for Plaintiff CARMEN APODACA

ORDER

PURSUANT TO THE STIPULATION OF THE PARTIES AND FOR GOOD CAUSE

APPEARING, IT IS HEREBY ORDERED THAT: the mediation completion date is continued from December 27, 2010, to February 14, 2011. In addition, the deadline of January 14, 2011 to hear a motion on the standard of review is VACATED and shall be reset by Court order upon submission of proposed stipulation, if necessary.

Date: December 1, 2010

By: 
 HONORABLE JEFFREY S. WHITE
 UNITED STATES DISTRICT JUDGE